

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

vs.

NOTICE OF MOTION AND MOTION  
20-MJ-1010

BRANDON KIDDER

Defendant.

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**PLEASE TAKE NOTICE**, that the undersigned DOMINIC SARACENO, ESQ., attorney for the defendant, BRANDON KIDDER, based upon that following affirmation hereby moves for an adjournment of the September 9, 2020 conference date.

**AFFIRMATION**

1. I am an attorney at law duly licensed to practice in the State of New York and in the Western District of New York with offices located at 534 Delaware Avenue, Buffalo, New York 14202.
2. This affirmation is offered in support of counsel's request for an adjournment of the above referenced conference date.
3. The Court previously entered a date to conference this matter on September 9, 2020.
4. Since the entry of the above-referenced order, the defendant was supposed to undergo a competency examination.
5. Said examination is yet to be completed and is a necessary in order to go forward.
6. The defense counsel is making this motion on behalf of Brandon Kidder.

7. Assistant United States Attorney CAITLIN HIGGINS has consented to adjourning the conference.

8. The defendant agrees that the additional time allowed is excludable under the Speedy Trial Act.

**WHEREFORE**, for the reasons set forth above, defendant, BRANDON KIDDER, respectfully requests an Order from this Court granting an adjournment of the conference date.

s/ Dominic Saraceno, Esq.

DOMINIC SARACENO, ESQ.  
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**CERTIFICATE OF SERVICE**

20-MJ-1010

I hereby certify that on September 8, 2020, I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following EM/EF Participant on this case:

CAITLIN HIGGINS, AUSA  
138 Delaware Avenue  
Buffalo, New York 14202

s/Dominic Saraceno

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DOMINIC SARACENO